

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHAUNCEY CASTODIO,

No. C 13-713 SI (pr)

Petitioner,

**ORDER DENYING REQUESTS FOR
RECONSIDERATION AND COA**

v.

RANDY GROUNDS, warden,


Respondent.

Petitioner filed this *pro se* action for a writ of habeas corpus challenging a prison disciplinary decision that resulted in a time credit forfeiture. The court denied the petition in an order filed on July 21, 2013. Petitioner's request for reconsideration of that order is DENIED. (Docket # 13.) He contends that the court improperly relied on 15 Cal. Code Regs. § 3288, but fails to note that § 3288 was neither cited to, nor relied upon, in the order.

Castodio's request for a certificate of appealability is DENIED. (Docket # 13.) This is not a case in which "reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong" in the order denying the petition, or one in which "jurists of reason would find it debatable whether the district court was correct in its procedural [rulings]" in this order. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see* 28 U.S.C. § 2253(c). The denial of the certificate of appealability is without prejudice to petitioner seeking a certificate from the United States Court of Appeals for the Ninth Circuit.

IT IS SO ORDERED.

Dated: November 20, 2013


SUSAN ILLSTON
United States District Judge